

COUNTY OF YORK

MEMORANDUM

DATE: May 20, 2002 (BOS Mtg. 6/4/02)

TO: York County Board of Supervisors

FROM: James O. McReynolds, County Administrator

SUBJECT: Application No. YVA-13-02, Debbie and Rogers Hamilton

ISSUE

This application requests authorization, pursuant to Section 24.1-327(b)(4) of the York County Zoning Ordinance, to establish a Bed and Breakfast establishment within an existing single-family detached dwelling located at 114 Church Street in historic Yorktown. The property is further identified as Assessor's Parcel No.18-1-29A.

DESCRIPTION

?? Property Owner: Hugh Rogers and Deborah Powell Hamilton

?? Location: 114 Church Street

?? Area: Approximately 0.25 acre

?? Frontage: Approximately 83 feet on Church Street

?? Utilities: Public water and sewer

?? Topography: Flat

?? 2015 Land Use Map Designation: Yorktown

?? Zoning Classification: YVA – Yorktown Village Activity

?? Existing Development: Single-family detached home

?? Surrounding Development:

North:	Single-family detached home
East:	Grace Episcopal Church (across Church Street)
South:	York Hall parking lot
West:	York Hall and York Hall parking lot

Proposed Development: Bed and Breakfast establishment within an existing single family detached home

CONSIDERATIONS/CONCLUSIONS

1. The applicants are requesting authorization to establish a bed and breakfast inn at 114 Church Street in Yorktown within their existing three-story 2,934-square foot single-family dwelling. Section 24.1-327(b)(4) of the York County Zoning Ordinance states that proposed changes in use of land, buildings, or structures within the Yorktown Village Activity District that are not similar in type, size, scope and intensity as the previous use, are subject to review and approval in accordance with the same procedures as special use permits. In this case, since rooms within the structure will be rented to overnight guests, the proposed use constitutes a change that requires approval by the Board of Supervisors to ensure that the use is compatible with land uses in the surrounding historic village of Yorktown.
2. The Zoning Ordinance defines a bed and breakfast as “(a) dwelling in which, for compensation, meals and overnight accommodations are provided for transitory guests. The operator of the inn shall live on the premises or in an adjacent premises.” Section 24.1-409 of the York County Zoning Ordinance specifies a series of performance standards that apply to the operation of bed and breakfast establishments. These standards limit the size, scale, and visibility of the bed and breakfast establishment in order to prevent adverse impacts on surrounding properties. Conditions have been included in the approving resolution to reference conformance with the definition and performance standards.
3. According to the applicants, the existing dwelling and property consists of four bedrooms, three bathrooms, a kitchen, living room, dining room, porches overlooking the York River, a two-level deck, and an attached above-ground swimming pool. Initially, the applicants propose to offer two rooms for overnight guests; however, if the first phase of operation is successful, they propose to modify the interior of the existing structure to offer four rooms to overnight guests.
4. The subject parcel is zoned YVA (Yorktown Village Activity) and the Comprehensive Plan designates Yorktown as an historical village without reference to specific land uses. The intent of this designation is to recognize the unique history of the town and to encourage development that is consistent with the historic, residential, and commercial land uses already present. I believe that the proposed use is compatible with nearby development, which consists of an eclectic mix of residential, commercial, tourist-related, municipal, and institutional land uses, many of them in reasonably close proximity to one another. The Yorktown Master Plan encourages the conversion of existing homes to bed and breakfast establishments within the historic village. In fact, the master plan specifically states that “(t)he Old Court House Square/Main Street Corner should be strengthened as the symbolic center for the County. This corner marks the place where the two major axes through the Town cross; Main and Ballard Streets. This area could be enlivened with new shops, a bed-and-breakfast, visitor services for the National Park Service, and historic displays.”

5. The subject property can easily accommodate both the residential parking requirement (2 spaces) and the off-street parking demand (four spaces) generated by the proposed bed and breakfast. In addition, because of the size and scope of the operation, traffic impacts are not anticipated to be significant or out of character with the surrounding historic Yorktown village area.

PLANNING COMMISSION RECOMMENDATION

The Planning Commission considered this application at its May 8 meeting and, subsequent to conducting a public hearing at which one citizen (in addition to the applicant) spoke in support of the application, voted 5:0 (Messrs. Heavner and Simasek absent) to recommend approval.

COUNTY ADMINISTRATOR RECOMMENDATION

This proposal is consistent with the County's vision for historic Yorktown as set forth in the Yorktown Master Plan, which is incorporated by reference into the Comprehensive Plan. The master plan specifically recommends and supports the conversion of existing homes in the village of Yorktown into bed and breakfast establishments. Such accommodations enhance visitor opportunities and experiences in Yorktown. The proposed bed-and-breakfast is a small-scale operation and is not likely to have any adverse impacts on the surrounding area or the historic character of the village. I am confident that the proposed conditions will ensure that it remains a small-scale operation, consistent with the intent of the bed and breakfast standards of the Zoning Ordinance and the character of Yorktown. Therefore, I recommend that the Board approve this application subject to the conditions contained in proposed Resolution No. R02-112.

Since the Planning Commission meeting, it has come to staff's attention that one of the conditions in the resolution could be misconstrued as prohibiting families with children from staying at the bed and breakfast. The proposed approving resolution contains a slightly revised version of this condition to clarify that children are not prohibited as guests.

Carter/3337

Attachments

?? Excerpt of unapproved Planning Commission minutes of May 8, 2002

?? Zoning Map

?? Vicinity Map

?? Survey Plat

?? Project Narrative (March 27, 2002)

?? Proposed Resolution R02-112